

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION

HILTON PLEIN, JANET PLEIN	§	NO. 08 CV 3754
COLLEEN PLEIN AND MARC PLEIN,	§	
Plaintiffs,	§	JUDGE DOW JR.
VS.	§	MAGISTRATE MASON
REID LOPATKA,	§	
Defendant.	§	

PLAINTIFFS' MOTION TO DISMISS

Plaintiffs Hilton Plein, Janet Plein, Colleen Plein and Marc Plein request that the Court enter an order dismissing this case and in support thereof state as follows:

1. This case was filed by Plaintiffs on July 1, 2008.
2. A summons was issued on July 1, 2008, but has not been served upon Defendant.
3. Plaintiffs and Defendant have entered into a settlement agreement of the matters that are the subject of this litigation.
4. As part of the settlement agreement between Plaintiffs and Defendant, Plaintiffs have agreed to dismiss this case.

Plaintiffs hereby request that this case be dismissed.

Respectfully submitted,

/rcb/

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CERTIFICATE OF SERVICE

I, Richard C. Balough, do hereby certify that a copy of this Motion to Dismiss has been sent on this 5th day of August 2008 with adequate postage paid to the Defendant at:

Mr. Reid Lopatka
21318 121st St.
Bristol WI 53104

_____ /rcb/ _____

Richard C. Balough